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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Argentina, Armenia, Australia, Austria, Belgium, Bulgaria, Canada, Chile, Costa Rica, Finland, France, Germany, Haiti, Hungary, Israel, Liberia, Lithuania, Luxembourg, Republic of Moldova, Romania, Russian Federation, Turkey and United States of America: draft resolution

Strengthening the role of the United Nations in enhancing the effectiveness of periodic and genuine elections and the promotion of democratization

The General Assembly,

Recalling its previous resolutions on the subject, especially resolutions 47/138 of 18 December 1992 and 48/131 of 20 December 1993, as well as the annex to Commission on Human Rights resolution 1989/51 of 7 March 1989, 1/

Recalling also the Vienna Declaration and Programme of Action, especially the recognition therein that assistance provided upon the request of Governments for the conduct of free and fair elections, including assistance in the human rights aspects of elections and public information about elections, is of particular importance in the strengthening and building of institutions relating to human rights and the strengthening of a pluralistic civil society, and that

1/ See Official Records of the Economic and Social Council, 1989, Supplement No. 2 (E/1989/20), chap. II, sect. A.

special emphasis should be given to measures that assist in achieving those goals, 2/

Reaffirming that the electoral assistance and support for the promotion of democratization are provided only at the specific request of the Member State concerned,

Recognizing the usefulness of a comprehensive and balanced approach in the activities carried out by the United Nations in this field in order to contribute to the strengthening of both democracy and human rights within the country concerned,

Welcoming the Colloquium on African Election Administration organized by the Electoral Assistance Division of the United Nations Secretariat in cooperation with the Department of Development Support and Management Services and non-governmental organizations, held in Zimbabwe from 15 to 18 November 1994, with the goal of contributing to the democratization process in Africa,

Taking note of the Declaration on Criteria for Free and Fair Elections adopted by the Inter-Parliamentary Union on the occasion of its ninety-first conference, held in Paris in March 1994,

Having considered the report of the Secretary-General, 3/

Noting the continuing high level of requests for electoral assistance by Member States,

1. Takes note of the report of the Secretary-General on United Nations activities aimed at enhancing the effectiveness of the principle of periodic and genuine elections;

2. Commends the electoral assistance provided to Member States at their request by the United Nations, requests that such assistance continue on a case-by-case basis in accordance with the proposed guidelines on electoral assistance, recognizing that the fundamental responsibility for ensuring free and fair elections lies with Governments, and also requests the Electoral Assistance Division to continue to inform Member States on a regular basis about the requests received, the responses given to those requests and the nature of the assistance provided;

3. Requests that the United Nations continue its efforts to ensure, before undertaking to provide electoral assistance to a requesting State, that there is adequate time to organize and carry out an effective mission for providing such assistance, that conditions exist to allow a free and fair

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2/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/27 (Part I)), chap. III, sect. II, para. 67.

3/ A/49/675 and Corr.1.

election and that provisions can be made for adequate and comprehensive reporting of the results of the mission;

4. Commends the steps taken by the United Nations to ensure the continuation and consolidation of the democratization process in certain Member States requesting assistance, including the provision of assistance before and after elections have taken place and needs-assessment missions aimed at recommending programmes which might contribute to the consolidation of the democratization process, and requests that such efforts be strengthened;

5. Recommends that the Electoral Assistance Division provide post-election assistance to States that so request as well as to electoral institutions in order to contribute to the sustainability of their electoral processes, as provided for in the report of the Secretary-General, and that it study, in cooperation with relevant United Nations offices, ways of defining more clearly the activities related to democratic consolidation which the United Nations might usefully undertake in assisting the efforts of interested States in this regard;

6. Requests the Secretary-General to take further steps to support States which request assistance by, inter alia, enabling the United Nations High Commissioner for Human Rights, in accordance with his mandate and through the Centre for Human Rights, to support democratization activities as related to human rights concerns, including, inter alia, human rights training and education, assistance for human rights-related legislative reform, strengthening and reform of the judiciary, assistance to national human rights institutions and advisory services on treaty accession, reporting and international obligations as related to human rights;

7. Commends the programmes of assistance carried out by the United Nations Development Programme for civil service reform, for governance, and especially those for strengthening participation and linkages between concerned sectors of society and Governments;

8. Recalls the establishment by the Secretary-General of the United Nations Trust Fund for Electoral Observation, and calls upon Member States to consider contributing to the Fund;

9. Stresses the importance of coordination within the United Nations system, commends the Centre for Human Rights of the United Nations Secretariat for the advisory services and technical assistance it provides and the Department for Development Support and Management Services of the Secretariat and the United Nations Development Programme for the technical assistance they provide to requesting Member States, and requests the Electoral Assistance Division to strengthen its collaboration with the Centre for Human Rights, including through an exchange of personnel when appropriate, and with the Department for Development Support and Management Services and the United Nations Development Programme and to inform them of requests submitted in the area of electoral assistance;

10. Recommends that the United Nations continue and strengthen its coordination of election preparation and observation with intergovernmental and non-governmental organizations which have an interest in such activities;

11. Requests the Secretary-General to provide the Electoral Assistance Division with adequate human and financial resources, under the regular budget of the Organization and within existing resources, to allow it to carry out its mandate and to reinforce the Centre for Human Rights through the redeployment of resources and personnel, so as to enable it to respond, in close coordination with the Electoral Assistance Division, to the increasing number of requests from Member States for advisory services in the area of electoral assistance;

12. Recommends that, in connection with the commemoration of the fiftieth anniversary of the United Nations, special attention be paid to publicizing the Organization's successful efforts towards promoting genuine and periodic elections and its increasing focus on democratization;

13. Takes note of the guidelines for Member States considering the formulation of requests for electoral assistance, contained in annex III to the report of the Secretary-General; 3/

14. Recommends that the Secretary-General, taking into account the coordinating role of the High Commissioner for Human Rights in this regard, consider ways to continue to improve coordination and to strengthen further the efforts of the Electoral Assistance Division, the Centre for Human Rights and the United Nations system in general to respond to its increased responsibilities and enlarged mandate in the field of electoral assistance and democratization as reflected in the present resolution, and to include his recommendations in this regard in his report to the General Assembly at its fiftieth session;

15. Requests the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of resolution 48/131 and the present resolution, in particular on the status of requests from Member States for electoral assistance and verification, and on his efforts to enhance the Organization's support of the democratization process in Member States.